

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
CENTRAL DIVISION

UNITED STATES OF AMERICA, Plaintiff, vs. JEFFREY PICKNER, Defendant.	3:22-CR-30063-RAL REPORT AND RECOMMENDATIONS ON DEFENDANT'S CHANGE OF PLEA
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The above-captioned matter came on before the Court for a change of plea hearing on Thursday, August 3, 2023. Defendant, Jeffrey Pickner, appeared in person and by his counsel, Jeffrey Pickner, while Plaintiff, United States of America ("Government") appeared through Troy Morley , an Assistant United States Attorney.

Defendant consented in open court to the change of plea before the Court and his consent was knowingly and voluntarily made. The Government likewise consented to the Court taking Defendant's plea. Further, the parties waived their right to object to the report and recommendation.

Defendant has reached a plea agreement with the Government wherein he intends to plead guilty to Count I and II as contained in the Superseding Indictment . Defendant is charged in Count I and II of the Superseding Indictment with Aggravated Sexual Abuse of a Child in violation of 18 U.S.C. §§ 1153, 2241(c) and 2246(2). At the hearing, Defendant was advised of the nature of the charges to which he would plead guilty and the maximum penalty applicable, specifically: up to life custody; 250,000 fine, or both;

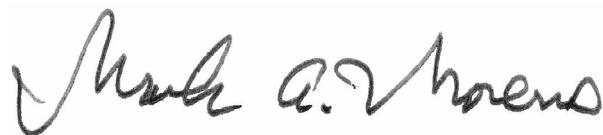
5 years supervised release; 5 additional years imprisonment if supervised release is revoked on any such revocation; \$100 assessment; and restitution, in each charge.

Upon questioning Defendant personally in open court, it is the finding of the Court that Defendant is fully competent and capable of entering an informed plea, that he is aware of the nature of the charged offense and the consequences of the plea, and that his plea of guilty to the offense contained in Counts I and II of the Superseding Indictment is a knowing and voluntary plea supported by an independent basis in fact containing each of the essential elements of the offense. It is, therefore, the Court's recommendation that the guilty plea to Counts I and II of the Superseding Indictment be accepted and that Defendant be adjudged guilty of that offense.

It is further ORDERED that Defendant shall remain detained pending sentencing or until further order of a judicial officer of this District as previously ordered.

DATED this 3rd day of August, 2023.

BY THE COURT:



MARK A. MORENO
UNITED STATES MAGISTRATE JUDGE